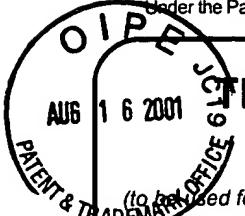


Please type a plus sign (+) inside the box → 

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

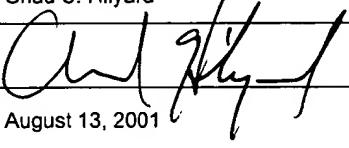
Total Number of Pages in This Submission

Application Number	09/802,108
Filing Date	March 8, 2001
First Named Inventor	Saulsbury, Ashley, et al.
Group Art Unit	2151
Examiner Name	Unassigned
Total Number of Pages in This Submission	16747-017800

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Power of Attorney, Statement Under 37 CFR 3.73(b)	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Executed Declarations
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	Assignment Recordation
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		Copies of 15 cited references
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		PTO Copy of Notice to File Missing Parts
	Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

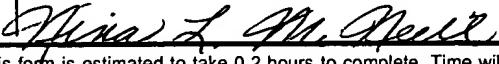
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP	
	Chad S. Hilyard	Reg No. 40,647
Signature		
Date	August 13, 2001	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

August 13, 2001

Typed or printed name	Nina L. McNeill	
Signature		Date
	August 13, 2001	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

DE 7047839 v1



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/802,108	03/08/2001	Ashley Saulsbury	16747017800

20350  
 TOWNSEND AND TOWNSEND AND CREW  
 TWO EMBARCADERO CENTER  
 EIGHTH FLOOR  
 SAN FRANCISCO, CA 94111-3834



## CONFIRMATION NO. 5576

## FORMALITIES LETTER



\*OC000000005960696\*

Date Mailed: 04/12/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- o Total additional claim fee(s) for this application is \$72.
  - \$72 for 4 total claims over 20.
- o The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- o The balance due by applicant is \$ 912.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- o Substitute drawings in compliance with 37 CFR 1.84 because:

□ drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

08/20/2001 ABELTE1 00000007 2010 bottom margin of at least 1.0 cm. (3/8 inch);  
 01 FC:101 710.00 CH  
 02 FC:103 72.00 CH  
 03 FC:105 130.00 CH

08/20/2001 ABELTE1 00000007 09002108  
 01 FC:101 710.00 CH  
 02 FC:103 72.00 CH  
 03 FC:105 130.00 CH

*A copy of this notice **MUST** be returned with the reply.*

Sebille

---

## Customer Service Center

Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**



09021.08 031601

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



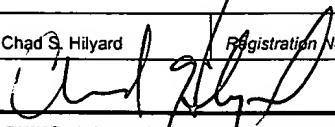
# FEES TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1,342)

Complete If Known	
Application Number	09/802,108
Filing Date	March 8, 2001
First Named Inventor	Saulsbury, Ashley, et al.
Examiner Name	Unassigned
Group Art Unit	2151
Attorney Docket No.	16747-017800US

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																																																																									
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number <input type="text" value="20-1430"/></p> <p>Deposit Account Name <input type="text" value="Townsend and Townsend and Crew LLP"/></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>130</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td>390</td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive – unavoidable</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive – unintentional</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40</td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="6">Other fee (specify)</td></tr> <tr> <td colspan="4">The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.</td><td colspan="2" rowspan="3">SUBTOTAL (3) (\$560)</td></tr> <tr> <td colspan="6">*Reduced by Basic Filing Fee Paid</td></tr> <tr> <td colspan="6">**or number previously paid, if greater; For Reissues, see above</td></tr> </tbody> </table>				Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	130	127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month	390	117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive – unavoidable		141	1,240	241	620	Petition to revive – unintentional		142	1,240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	180	126	180	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)	40	146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))		179	710	279	355	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify)						The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.				SUBTOTAL (3) (\$560)		*Reduced by Basic Filing Fee Paid						**or number previously paid, if greater; For Reissues, see above					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																								
105	130	205	65	Surcharge - late filing fee or oath	130																																																																																																																																																																																																								
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																									
139	130	139	130	Non-English specification																																																																																																																																																																																																									
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																																									
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																									
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																									
115	110	215	55	Extension for reply within first month																																																																																																																																																																																																									
116	390	216	195	Extension for reply within second month	390																																																																																																																																																																																																								
117	890	217	445	Extension for reply within third month																																																																																																																																																																																																									
118	1,390	218	695	Extension for reply within fourth month																																																																																																																																																																																																									
128	1,890	228	945	Extension for reply within fifth month																																																																																																																																																																																																									
119	310	219	155	Notice of Appeal																																																																																																																																																																																																									
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																																																																									
121	270	221	135	Request for oral hearing																																																																																																																																																																																																									
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																									
140	110	240	55	Petition to revive – unavoidable																																																																																																																																																																																																									
141	1,240	241	620	Petition to revive – unintentional																																																																																																																																																																																																									
142	1,240	242	620	Utility issue fee (or reissue)																																																																																																																																																																																																									
143	440	243	220	Design issue fee																																																																																																																																																																																																									
144	600	244	300	Plant issue fee																																																																																																																																																																																																									
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																																									
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																																									
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																									
581	40	581	40	Recording each patent assignment per property (times number of properties)	40																																																																																																																																																																																																								
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																																									
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																																									
179	710	279	355	Request for Continued Examination (RCE)																																																																																																																																																																																																									
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																																																									
Other fee (specify)																																																																																																																																																																																																													
The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.				SUBTOTAL (3) (\$560)																																																																																																																																																																																																									
*Reduced by Basic Filing Fee Paid																																																																																																																																																																																																													
**or number previously paid, if greater; For Reissues, see above																																																																																																																																																																																																													
<p>2. <input type="checkbox"/> Payment Enclosed:</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>				<p>FEE CALCULATION</p> <table border="1"> <thead> <tr> <th colspan="4">1. BASIC FILING FEE</th> </tr> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> </tr> </thead> <tbody> <tr><td>101</td><td>710</td><td>201</td><td>355</td></tr> <tr><td>106</td><td>320</td><td>206</td><td>160</td></tr> <tr><td>107</td><td>490</td><td>207</td><td>245</td></tr> <tr><td>108</td><td>710</td><td>208</td><td>355</td></tr> <tr><td>114</td><td>150</td><td>214</td><td>75</td></tr> <tr> <td colspan="4">SUBTOTAL (1) (\$710)</td><td colspan="4"></td></tr> <tr> <th colspan="4">2. EXTRA CLAIM FEES</th> <th>Fee from below</th> <th>Fee Paid</th> <th></th> <th></th> </tr> <tr> <td>Total Claims</td> <td>24</td> <td>-20**</td> <td>= 4</td> <td>X \$18</td> <td>= \$72</td> <td></td> <td></td> </tr> <tr> <td>Independent Claims</td> <td>2</td> <td>-3**</td> <td>= 0</td> <td>X \$80</td> <td>= \$0</td> <td></td> <td></td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td></td> <td>X</td> <td>=</td> <td></td> <td></td> </tr> <tr> <td>Large Fee Code</td> <td>Entity Fee (\$)</td> <td>Small Fee Code</td> <td>Entity Fee (\$)</td> <td>Fee Description</td> <td></td> <td></td> <td></td> </tr> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td><td></td><td></td><td></td></tr> <tr><td>102</td><td>80</td><td>202</td><td>40</td><td>Independent claims in excess of 3</td><td></td><td></td><td></td></tr> <tr><td>104</td><td>270</td><td>204</td><td>135</td><td>Multiple dependent claim, if not paid</td><td></td><td></td><td></td></tr> <tr><td>109</td><td>80</td><td>209</td><td>40</td><td>** Reissue independent claims over original patent</td><td></td><td></td><td></td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td><td></td><td></td></tr> <tr> <td colspan="4">SUBTOTAL (2) (\$72)</td><td colspan="4"></td></tr> </tbody></table>				1. BASIC FILING FEE				Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	101	710	201	355	106	320	206	160	107	490	207	245	108	710	208	355	114	150	214	75	SUBTOTAL (1) (\$710)								2. EXTRA CLAIM FEES				Fee from below	Fee Paid			Total Claims	24	-20**	= 4	X \$18	= \$72			Independent Claims	2	-3**	= 0	X \$80	= \$0			Multiple Dependent				X	=			Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description				103	18	203	9	Claims in excess of 20				102	80	202	40	Independent claims in excess of 3				104	270	204	135	Multiple dependent claim, if not paid				109	80	209	40	** Reissue independent claims over original patent				110	18	210	9	** Reissue claims in excess of 20 and over original patent				SUBTOTAL (2) (\$72)																																																																																	
1. BASIC FILING FEE																																																																																																																																																																																																													
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)																																																																																																																																																																																																										
101	710	201	355																																																																																																																																																																																																										
106	320	206	160																																																																																																																																																																																																										
107	490	207	245																																																																																																																																																																																																										
108	710	208	355																																																																																																																																																																																																										
114	150	214	75																																																																																																																																																																																																										
SUBTOTAL (1) (\$710)																																																																																																																																																																																																													
2. EXTRA CLAIM FEES				Fee from below	Fee Paid																																																																																																																																																																																																								
Total Claims	24	-20**	= 4	X \$18	= \$72																																																																																																																																																																																																								
Independent Claims	2	-3**	= 0	X \$80	= \$0																																																																																																																																																																																																								
Multiple Dependent				X	=																																																																																																																																																																																																								
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description																																																																																																																																																																																																									
103	18	203	9	Claims in excess of 20																																																																																																																																																																																																									
102	80	202	40	Independent claims in excess of 3																																																																																																																																																																																																									
104	270	204	135	Multiple dependent claim, if not paid																																																																																																																																																																																																									
109	80	209	40	** Reissue independent claims over original patent																																																																																																																																																																																																									
110	18	210	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																									
SUBTOTAL (2) (\$72)																																																																																																																																																																																																													

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Chad S. Hilyard	Registration No. (Attorney/Agent)	40,647	Telephone	303-571-4000
Signature				Date	August 13, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. DE 7047842 v1